

NATIONAL ASSEMBLY FOR WALES

REPORT BY THE SOCIAL JUSTICE AND REGENERATION COMMITTEE

THE FIRE AND RESCUE SERVICES (CHARGING) (WALES) ORDER

1. This Order was referred to Committee for scrutiny from Business Committee on 9 May. The Chair chose to deal with this matter in correspondence.
2. Social Justice and Regeneration Committee was first notified of the draft Order in July 2005 via the Minister's schedule of forthcoming legislation. In October, the Order was renamed as The Fire and Rescue Services (Charging and Emergencies) (Wales) Order to reflect plans at that stage to combine the charging and emergency elements in one order. It has now been decided to revert back to two separate orders. Since the Order first appeared on the schedule of legislation, no Member identified the need for further consideration.
3. There were no proposals for amending the regulations but Members raised the following points:
 - **Concerns have been raised about the inability to oppose charges for multi callouts for the same business premises and will callouts for false alarms be chargeable to the person as well as the organisation?**

Response: The Minister advised that the Welsh Assembly Government issued guidance in Circular W-FRSC(06) 06 – Supplementary Information for Fire and Rescue Authorities (FRAs) on the development of their Risk Reduction Plans (RRPs) – and this guidance specifically dealt with unwanted fire signals from automatic fire alarms (ARAs) as part of their FRAs RRP. The circular states that FRAs should risk assess their policy for responding to AFAs as part of their RRP to ensure changes do not increase the risk of death or injury to the public. The consultation document which accompanied the draft Charging Order stated that further work was required in relation to AFA policy and that prior to considering extending chargeable activities, the Assembly Government would undertake further consultation. That remains the position.

- **Comments made in the consultation that different wording, as in Scotland, seems preferable regarding** “Extinguishing fires at sea, protecting life at sea or protecting property in the event of fires at sea” as it confers a power to charge for “protecting life at sea”, whereas draft order protects life as a result of a fire at or under the sea.

Response: The Minister advised that the Maritime Incident Response Group (MIRG) have the role of dealing with fires and rescues at sea. The Group consists of 15 fire and rescue services in England and Wales, and both Mid and West Wales FRA and North Wales FRA are members of MIRG and they are responsible for such incidents in the seas around Wales. The Charging Order reflects the requirements of the Fire and Rescue Services Act 2004 in that respect.

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Chair, Social Justice and Regeneration Committee